



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

COPY

SEP 19 2005

**Certified Mail -Return Receipt**

Stephen Owens  
Director  
AZ Dept of Env Quality  
1110 West Washington Street  
Phoenix, AZ 85007

Re: Grant ID #CP-96941601-0  
Water Quality--Queen Creek Copper TMDL

Dear Mr. Owens:

The United States Environmental Protection Agency (EPA) is pleased to approve the program described in the enclosed agreement. **If you wish to accept this offer, please sign and date both enclosed agreements and return one signed original to the Grants Management Office, PMD-7, within three weeks.** The agreement which is marked *Recipient's Copy* should be retained for your records.

**Please read the enclosed Agreement and the conditions prior to your acceptance.** If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grant Specialist.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alexis Strauss".

Alexis Strauss  
Director  
Water Division

Enclosures

cc: Charles Graf, ADEQ (w/attach)  
Deborah Landon, ADEQ (w/attach)

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Cooperative Agreement</b>		ASSISTANCE ID NO.			DATE OF AWARD <b>SEP 12 2005</b>		
			PRG	DOC ID	AMEND#			
			CP	96941601	- 0	TYPE OF ACTION New		MAILING DATE <b>SEP 19 2005</b>
			PAYMENT METHOD: ASAP			ACH#		
RECIPIENT TYPE: State			Send Payment Request to: N/A					
RECIPIENT: AZ Dept of Env Quality 1110 West Washington Street Phoenix, AZ 85007 EIN: 86-6004791			PAYEE: SAME AS RECIPIENT ADDRESS					
PROJECT MANAGER Charles Graf 1110 West Washington Street Phoenix, AZ 85007 E-Mail: cgg@azdeq.gov Phone: 602-771-4661		EPA PROJECT OFFICER Peter Kozelka 75 Hawthorne Street, WTR-2 San Francisco, CA 94105 E-Mail: kozelka.peter@epa.gov Phone: 415-972-3448		EPA GRANT SPECIALIST Cynthia Lee Grants Management Office, PMD-7 E-Mail: Lee.Cynthia@epa.gov Phone: 415-972-3201				
PROJECT TITLE AND DESCRIPTION  Water Quality - Queen Creek Copper TMDL  This assistance agreement provides full federal funding in the amount of \$141,850 to support TMDL (Total Maximum Daily Load) development in Arizona watersheds by ADEQ by means of reducing and eliminating pollutants to water bodies of the United States. Pre-award costs have been approved back to July 1, 2005.								
BUDGET PERIOD 07/01/2005 - 06/30/2007		PROJECT PERIOD 07/01/2005 - 06/30/2007		TOTAL BUDGET PERIOD COST \$141,850.00		TOTAL PROJECT PERIOD COST \$141,850.00		
<b>NOTE:</b> The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.								
<b>OFFER AND ACCEPTANCE</b>								
The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>AZ Dept of Env Quality</u> for <u>100.00</u> % of all approved costs incurred up to and not exceeding <u>\$141,850</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>05/19/2005</u> included herein by reference.								
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, PMD-7 75 Hawthorne Street San Francisco, CA 94105				ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105				
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>								
SIGNATURE OF AWARD OFFICIAL  		TYPED NAME AND TITLE Alexis Strauss, Director - Water Division			DATE <b>SEP 12 2005</b>			
This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.								
<b>BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION</b>								
SIGNATURE		TYPED NAME AND TITLE Stephen Owens, Director			DATE			

## CP - 96941601 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 141,850	\$ 141,850
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 141,850	\$ 141,850

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.463 - Water Quality Cooperative Agreements	Clean Water Act: Sec. 104(b)(3)	40 CFR PTS 31 & 35 SUBPT A

Fiscal									
Site Name	DCN	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	W2E013	05	E1	09L1	202B02E	4183			141,850
									141,850

## Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$11,700
6. Contractual	\$130,150
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$141,850
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$141,850
12. Total Approved Assistance Amount	\$141,850
13. Program Income	\$0

### **Administrative Conditions**

Please refer to the FY-06 Annual Terms and Conditions letter from EPA to ADEQ, signed by ADEQ August 9, 2005.

In addition to ADEQ's Annual Terms and Conditions, conditions below now applies:

A. Payment to consultants. Per 40 CFR Part 31.36(j), EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2005, the rate is \$537.76 per day and \$67.22 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

### **Programmatic Conditions**

P1. Quality Assurance: Each grant or contract shall conform to the requirements in the current, EPA approved State Quality Assurance Project Plan. If there are to be any changes from the State QAPP, such changes shall be submitted to the State and EPA for approval prior to initiation of monitoring.

P2. Ambient water quality data (tissue and sediment data included) must be entered into STORET.

-- END OF DOCUMENT --